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EXAMINER	
NGUYEN, TAN D	

ART UNIT	PAPER NUMBER
3629	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/029,769	RILEY ET AL.	
	Examiner	Art Unit	
	Tan Dean D. Nguyen	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 November 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8,10 and 12-67* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8,10 and 12-67* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 October 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

The amendment filed 11/20/07 has been entered. Claims 1-8, 10, 12-67 are active and are rejected as followed. Claims 9 and 11 have been canceled.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1, 3-8, 10, 11-20, 22-28, 30-33, 35-39 (method[1]), 40, 42-46 (method[2]), 47-50, 52 (method[3]), 53-63 (system[1]) and 64-67 (system[2]) are rejected under 35 U.S.C. 103(a) as being unpatentable over (1) GUSICK et al in view of (2) MANGIPUDI et al and (3) LIAO et al or further in view of (4) COGGER et al.

As of 11/20/07, independent method claim 1 is as followed:

1. (Currently amended) A method of providing a service desk capability, the method comprising:

(a) receiving a request for service from at least one customer selected from the group consisting of an internal customer, an external customer, a global customer, and an e-commerce customer;

(b) logging the request;

(c) categorizing the request, wherein the process of categorizing the request includes:

c1) determining the type of request;

c2) calculating a priority value for the request, wherein the priority value is calculated in accordance with the type of request at the time of receiving the request, an impact of the request, a severity of the request, a criticality of a function affected by the request, and a resolution agency at the time of receiving the request; and

c3) assigning the priority value to the request;

(d) assigning the request for service;

(e) resolving the request for service in accordance with the priority value;

(f) confirming resolution of the request for service; and

(g) closing the request for service.

Note that for convenience, letters (a)-(g) are added to the beginning of each step.

Similarly, in a method and system for monitoring customer request for service, **GUSICK et al** teaches a method for providing a service desk capability, comprising the steps of:

(a) receiving information (a request for service) from at least one customer selected from the group consisting of an internal customer, an external customer, a global customer, and an e-commerce customer {see Fig. 1, (140), Fig. 2, (200) "*requestor has a question*", [0003 "*customer service support system*"] and the different types of customers listed, [0006]};

(b) logging (or recording) the request {see [0057 "*recording*"};

(c) categorizing (classifying) the request {see [0004 "*categorizes, organizes*"]};

(d) assigning the request for service {Fig. 4, 420-470 ("Forward/Assign"), [0058 "the assignment of questions"]} ;

(e) resolving the request for service {[Fig. 4, 410, 450 ("Answer Question")};

(f) confirming (notification) resolution of the request for service {see [0072] "*question is fully answered …. is preferably notified*"; and

(g) monitoring the progress by providing a valid start date and a valid end date for the request for service {see [0109]}. As for the limitation of "closing the request for service" in the last step, in view of the general teaching of monitoring/tracking the progress with deadline, it would have been obvious to include well known step of closing the request when answer to question has been met to make the record clear. GUSICK et al fairly teaches the claimed invention except for well known facts or steps for categorizing of step (c.) above such as steps (c1)-(c3).

In a method for service level management of client/customer's request, **MANGIPUDI et al** fairly teaches the steps of (a)-(f) above with further well known information with respect to the (c.) categorizing step such as

c1) determining the type of request;

c2) calculating (or determining) a priority value for the request in accordance with the type of request at the time of receiving the request; and

c3) assigning the priority value to the request in order to avoid unpredictable client's request service levels which based on a "first come first served basis" which will result in loss of revenue and market leadership on the Internet or web-based business {see col. 1, lines 25-45, col. 2, line 65 to col. 3, line 40, col. 7, lines 5-45, Fig. 1, especially Fig. 2, 206a "Gold class", 206b "Silver class", and 206c "Bronze class", Fig. 8e, "Class : **Gold**", "Precedence: **2**"}. Note that the selection of other similar ranking system, such as number or numerical value, etc. would have been obvious to a skilled artisan as mere using other similar ranking system for ranking levels of request or service, absent evidence of unexpected results. Note that the limitation of "a resolution urgency", which is the last parameter for calculating a priority value number (data) for the request, is considered as non-functional descriptive material and has no patentable weight. It's merely further limit a data that is used in the calculating/determining step. Furthermore, this limitation is inherently included in the teachings of MANGIPUDI et al as cited in the classification above. It would have been obvious to modify the teaching of GUSICK et al by modifying the categorizing step to include further detailed steps such as c1-c3 as taught by MANGIPUDI et al to avoid unpredictable client's request

service levels which based on a "first come first served basis" which will result in loss of revenue and market leadership on the Internet or web-based business.

In a method for service level management of client/customer's request, **LIAO et al** fairly teaches the steps of allocating of limited resources, i.e. limited bandwidth capacity, by categorizing the service request into different classes, "EF", "AF", and "BE" to control impact /severity of service or criticality of a function affected by the request, i.e. low delay, low jitter, and low packet loss, loss of data, etc., based on the service above and minimize service agreement violation {see [0050]-[0056]} This would also enable quantitative service differentiation, improve network utilization, and increase the variety of the network services that can be offered to the customer {see [0005]}. Note also that the limitation of "a resolution urgency", which is the last parameter for calculating a priority value number (data) for the request, is considered as non-functional descriptive material and has no patentable weight. It's merely further limit a data that is used in the calculating/determining step. Furthermore, this limitation is inherently included in the teachings of LIAO et al as covered by the different classes as cited in the classification above. It would have been obvious to modify the teaching of GUSICK et al/MANGIPUDI by modifying the categorizing step to include further detailed steps such as c2 as taught by LIAO et al to avoid violation of service agreement in a limited bandwidth resources {see [0055]}.

In another method for monitoring customer request for service, **COGGER et al** teaches a method for providing a service desk capability, comprising the step of receiving the request information, tracking the request, and clearly indicate the status of

the request: Open, Closed, Referred or Cancelled status {see col. 19, lines 1-5}. It would have been obvious to modify the teachings of GUSICK et al/MANGIPUDI et al /LIAO et al by clearly indicate the status of the request by closing the request upon completion of the request as taught by COGGER et al above.

As for dependent claims 3, 6 (part of 1 above) which deal with information receiving parameters, telephone call, internet message, etc., these are fairly taught in [0004], [0006], Fig. 6 (600). The selection of other well known information communication would have been obvious to a skilled artisan as mere using well known communication method.

As for dependent claims 4, 5 (part of 1 above) which deal with the type of problem or question for the request (problem parameters), i.e. detection of a fault in an IT system, the type of problem is not critical to the scope of the claimed invention and this fairly taught in [0006]. information receiving parameters, telephone call, internet message, etc., these are fairly taught in [0004], Fig. 6 (600). The applying of the same customer service request management to any other problem or issue would have been obvious as mere applying the same steps to other similar problem/issue.

As for dependent claims 7, 8, 10 (part of 1 above) which deal with well known logging/recording parameters, these are fairly taught in [0057, 67-0070].

As for dependent claims 23-27 (part of 1 above) which deal with well known request (problem/issues) categorizing parameters, these are fairly taught in GUSICK et al or MANGIPUDI et al col. 7, lines 1-45, Figs. 1-2.

As for dependent claims 12-14, 22 (part of 1 above) which deal with well known request (problem/issues) assigning parameters, these are fairly taught in GUSICK et al [0019, 0064, 0068] or MANGIPUDI et al col. 7, lines 40-50.

As for dependent claims 15-17, 19-20, 28, 32 (part of 1 above) which deal with well known request (problem/issues) resolving parameters, i.e. diagnosing (analyze) the request, searching a knowledge base, resolving the issue, etc., these are fairly taught in [0004, 0019, 0060-0061].

As for dependent claims 18 (part of 1 above) which deal with well known request (problem/issues) closing parameters, these are fairly taught in [0019, 0066].

As for dependent claims 30-31 (part of 1 above) which deal with well known request (problem/issues) monitoring, tracking, and reporting parameters, these are fairly taught in [0067-0070].

As for dependent claim 33 (part of 1 above) which deal with service system parameters, these are fairly taught in Fig. 1, [0004], [0028].

As for dependent claim 35 (part of 1 above) which deal with well known request (problem/issues) parameters, these are fairly taught in [0003-0006]. As for the type of requested information or service, this is not essential to the scope of the claimed invention and would have been obvious to a skilled artisan to apply the service support system to any type of service or group.

As for dep. claims 36-39 (part of 1 above) which deal with service desk parameters, being properly staff and responding to calls/request within a time frame, these are fairly taught in [0007, 0008, 0109]. As for the specific numbers, these are

relative subjective and would have been obvious to set these parameters if desired since no limitation with respect to "quality of the answer/response" are shown. In other word, if quality of the response/answer is not critical, one can achieve the desired staff, speed of answers, % returned calls and % success as claimed above.

As for independent method claim 40, which has similar limitation to independent method claim 1 above, it's rejected for the same reason set forth in claim 1 above.

As for dep. claims 42-46 (part of 40 above), they have similar limitations as in dep. claims 2, 31, 35, 37-39 (part of 1 above), and therefore, they are rejected for the same reasons set forth in dep. claims 2, 31, 35, 37-39 (part of 1 above).

As for independent method claim 47, which has similar limitation to independent method claims 1-2 above, it's rejected for the same reason set forth in claim 1 above.

As for dep. claims 48-50, 52 (part of 47 above), they have similar limitations as in dep. claims 3, 4, and 35 (part of 1 above), and therefore, they are rejected for the same reasons set forth in dep. claims 3, 4, 35 (part of 1 above).

As for independent system[1] claim 53, which is basically the system to carry out the method of claim 1 above, it's rejected over the system of GUSICK et al /MANGIPUDI et al used for carrying out the method claim 1 above. Alternatively, it would have been obvious to a skilled artisan to set up respective system to carry out the method used in the rejection of claim 1 above.

As for dep. claims 54-63 (part of 53 above), they have similar limitations as in dep. claims 19-22, 30-35 (part of 1 above), and therefore, they are rejected for the same reasons set forth in dep. claims 19-22, 30-35 above.

As for independent system[2] claim 64 which is basically the system to carry out the method of claims 1 and 4 above, it's rejected over the system of GUSICK et al / MANGIPUDI et al /LIAO et al used for carrying out the method claims 1 and 4 above. Alternatively, it would have been obvious to a skilled artisan to set up respective system to carry out the method used in the rejection of claims 1 and 4 above.

As for dep. claims 65-67 (part of 64 above), they have similar limitations as in dep. claims 28, 30 and 34 (part of 1 above), and therefore, they are rejected for the same reasons set forth in dep. claims 28, 30 and 34.

Note, the various limitations with respect to customer service support system parameters such as effective rate of response, time of response, analyzing parameters, type of request (urgency levels), etc., are considered as parameters or variables and the adjustment of these parameters or variables are considered as routine experimentations, varying from each scenario, type of request, type of customer, etc. and would have been obvious to a skilled artisan in view of the general teachings of GUSICK et al or GUSICK et al /COGGER et al, absent evidence of unexpected results.

4. Claims 1, 3-8, 10, 11-20, 22-28, 30-33, 35-39 (method[1]), 40, 42-46 (method[2]), 47-50, 52 (method[3]), 53-63 (system[1]) and 64-67 (system[2]) are rejected (2nd time) under 35 U.S.C. 103(a) as being unpatentable over (1) MANGIPUDI et al in view of LIAO et al or further in view of (2) COGGER et al.

Similarly, in a method and system for monitoring customer request for service, MANGIPUDI et al teaches a method for providing a service desk capability, comprising the steps of:

(a) receiving a request for service from at least one customer selected from the group consisting of an internal customer, an external customer, a global customer, and an e-commerce customer {see col. 1, lines 30-65, Figs. 6-7};

(b) logging the request {see Fig. 8d, col. 14, lines 1-10}

(c) categorizing the request, wherein the process of categorizing the request includes:

c1) determining the type of request;

c2) calculating a priority value for the request in accordance with the type of request at the time of receiving the request; and

c3) assigning the priority value to the request {see col. 3, lines 1-42, col. 7, lines 5-45, Fig. 8c, 8e};

(d) assigning the request for service {col. 7, lines 5-45};

(e) resolving the request for service in accordance with the priority value;

(f) confirming resolution of the request for service {Fig. 6, (618)}; and

(g) monitoring and managing request status and response {Fig. 6, (612), col. 14, lines 1-10}. Note that the limitation of "a resolution urgency", which is the last parameter for calculating a priority value number (data) for the request, is considered as non-functional descriptive material and has no patentable weight. It's merely further limit a data that is used in the calculating/determining step. Furthermore, this limitation is

inherently included in the teachings of MANGIPUDI et al as cited in the classification aboveAs for the term "closing the request for service" in step (g), it would have been obvious to do when monitoring and managing the request to effectively monitoring the service.

In a method for service level management of client/customer's request, **LIAO et al** fairly teaches the steps of allocating of limited resources, i.e. limited bandwidth capacity, by categorizing the service request into different classes, "EF", "AF", and "BE" to control impact /severity of service or criticality of a function affected by the request, i.e. low delay, low jitter, and low packet loss, loss of data, etc., based on the service above and minimize service agreement violation {see [0050]-[0056]}. Note also that the limitation of "a resolution urgency", which is the last parameter for calculating a priority value number (data) for the request, is considered as non-functional descriptive material and has no patentable weight. It's merely further limit a data that is used in the calculating/determining step. Furthermore, this limitation is inherently included in the teachings of LIAO et al as covered by the different classes as cited in the classification above. It would have been obvious to modify the teaching of MANGIPUDI by modifying the categorizing step to include further detailed steps such as c2 as taught by LIAO et al to avoid violation of service agreement in a limited bandwidth resources {see [0055]}.

In another method for monitoring customer request for service, **COGGER et al** teaches a method for providing a service desk capability, comprising the step of receiving the request information, tracking the request, and clearly indicate the status of

the request: Open, Closed, Referred or Cancelled status {see col. 19, lines 1-5}. It would have been obvious to modify the teachings of MANGIPUDI et al/LIAO et al by clearly indicate the status of the request by closing the request upon completion of the request as taught by COGGER et al above.

As for dependent claims 3, 6 (part of 1 above) which deal with information receiving parameters, telephone call, internet message, etc., these are fairly taught in col. 1, lines 20-45. The selection of other well known information communication would have been obvious to a skilled artisan as mere using well known communication method.

As for dependent claims 4, 5 (part of 1 above) which deal with the type of problem or question for the request (problem parameters), i.e. detection of a fault in an IT system, the type of problem is not critical to the scope of the claimed invention and this fairly taught in cols. 1-2. The applying of the same customer service request management to any other problem or issue would have been obvious as mere applying the same steps to other similar problem/issue.

As for dependent claims 7, 8, 10 (part of 1 above) which deal with well known logging/recording parameters, these are fairly taught in Fig. 3, 8c.

As for dependent claims 23-27 (part of 1 above) which deal with well known request (problem/issues) categorizing parameters, these are fairly taught in col. 7, lines 1-45, Figs. 1-2.

As for dependent claims 12-14, 22 (part of 1 above) which deal with well known request (problem/issues) assigning parameters, these are fairly taught in MANGIPUDI et al col. 7, lines 40-50.

As for dependent claims 15-17, 19-20, 28, 32 (part of 1 above) which deal with well known request (problem/issues) resolving parameters, i.e. diagnosing (analyze) the request, searching a knowledge base, resolving the issue, etc., these are fairly taught in Fig. 3, 216, 206a, 206b.

As for dependent claims 18 (part of 1 above) which deal with well known request (problem/issues) closing parameters, these are fairly taught in col. 1, lines 25-65.

As for dependent claims 30-31 (part of 1 above) which deal with well known request (problem/issues) monitoring, tracking, and reporting parameters, these are fairly taught in col. 13, lines 45-55, col. 14, lines 1-10.

As for dependent claim 33 (part of 1 above) which deal with service system parameters, these are fairly taught in Figs. 1-2.

As for dependent claim 35 (part of 1 above) which deal with well known request (problem/issues) parameters, these are fairly taught in col. 1, lines 15-45. As for the type of requested information or service, this is not essential to the scope of the claimed invention and would have been obvious to a skilled artisan to apply the service support system to any type of service or group.

As for dep. claims 36-39 (part of 1 above) which deal with service desk parameters, being properly staff and responding to calls/request within a time frame,

these are fairly taught in col. 7, lines 1-65. As for the specific numbers, these are relative subjective and would have been obvious to set these parameters if desired since no limitation with respect to "quality of the answer/response" are shown. In other word, if quality of the response/answer is not critical, one can achieve the desired staff, speed of answers, % returned calls and % success as claimed above.

As for independent method claim 40, which has similar limitation to independent method claim 1 above, it's rejected for the same reason set forth in claim 1 above.

As for dep. claims 42-46 (part of 40 above), they have similar limitations as in dep. claims 2, 31, 35, 37-39 (part of 1 above), and therefore, they are rejected for the same reasons set forth in dep. claims 2, 31, 35, 37-39 (part of 1 above).

As for independent method claim 47, which has similar limitation to independent method claims 1-2 above, it's rejected for the same reason set forth in claim 1 above.

As for dep. claims 48-50, 52 (part of 47 above), they have similar limitations as in dep. claims 3, 4, and 35 (part of 1 above), and therefore, they are rejected for the same reasons set forth in dep. claims 3, 4, 35 (part of 1 above).

As for independent system[1] claim 53, which is basically the system to carry out the method of claim 1 above, it's rejected over the system of MANGIPUDI/LIAO et al et al used for carrying out the method claim 1 above as shown in Fig. 2 and 3. Alternatively, it would have been obvious to a skilled artisan to set up respective system to carry out the method used in the rejection of claim 1 above.

As for dep. claims 54-63 (part of 53 above), they have similar limitations as in dep. claims 19-22, 30-35 (part of 1 above), and therefore, they are rejected for the same reasons set forth in dep. claims 19-22, 30-35 above.

As for independent system[2] claim 64 which is basically the system to carry out the method of claims 1 and 4 above, it's rejected over the system of MANGIPUDI et al /LIAO et al used for carrying out the method claims 1 and 4 above and as shown in Figs. 2-3. Alternatively, it would have been obvious to a skilled artisan to set up respective system to carry out the method used in the rejection of claims 1 and 4 above.

As for dep. claims 65-67 (part of 64 above), they have similar limitations as in dep. claims 28, 30 and 34 (part of 1 above), and therefore, they are rejected for the same reasons set forth in dep. claims 28, 30 and 34.

Note, the various limitations with respect to customer service support system parameters such as effective rate of response, time of response, analyzing parameters, type of request (urgency levels), etc., are considered as parameters or variables and the adjustment of these parameters or variables are considered as routine experimentations, varying from each scenario, type of request, type of customer, etc. and would have been obvious to a skilled artisan in view of the general teachings of MANGIPUDI et al or MANGIPUDI et al /COGGER et al, absent evidence of unexpected results.

5. Dependent claims 2, 21, 29 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over GUSICK et al/MANGIPUDI et al /LIAO et al as applied to claim 1 above, and further in view of JONES et al.

As for dependent claims 2, 21, and 29 (part of 1 above), in another method for monitoring customer request for service, JONES et al teaches the step of (h) escalating the request for service levels when the trouble ticket (request) remaining unresolved for a time exceeding user specified time intervals and providing alerting messages or page notification to management and recipient (customer) {see col. 5, lines 60-67}. It would have been obvious to modify the teachings of GUSICK et al/MANGIPUDI et al /LIAO et al to include the (h) step above as taught by JONES et al when the trouble request has not been solved on schedule and to alert the management and customer.

As for dependent claim 34, this is taught in JONES et al Fig. 1.

6. Dependent claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over GUSICK et al /MANGIPUDI et al /LIAO et al as applied to claim 40 above, and further in view of JONES et al.

As for dependent claim 41 (part of 40 above), in another method for monitoring customer request for service, JONES et al teaches the step of (h) escalating the request for service levels when the trouble ticket (request) remaining unresolved for a time exceeding user specified time intervals and providing alerting messages or page notification to management and recipient (customer) {see col. 5, lines 60-67}. It would have been obvious to modify the teachings of GUSICK et al/MANGIPUDI et al /LIAO et

al to include the (h) step above as taught by JONES et al when the trouble request has not been solved on schedule and to alert the management and customer.

7. Dependent claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over GUSICK et al /MANGIPUDI et al/LIAO et al as applied to claim 47 above, and further in view of JONES et al.

As for dependent claim 51 (part of 47 above), in another method for monitoring customer request for service, JONES et al teaches the step of (h) escalating the request for service levels when the trouble ticket (request) remaining unresolved for a time exceeding user specified time intervals and providing alerting messages or page notification to management and recipient (customer) {see col. 5, lines 60-67}. It would have been obvious to modify the teachings of GUSICK et al /MANGIPUDI et al/LIAO et al to include the (h) step above as taught by JONES et al when the trouble request has not been solved on schedule and to alert the management and customer.

Response to Arguments

8. Applicant's arguments filed 11/20/07 have been fully considered but they are not persuasive. Applicant's main argument that GUSICK et al / MANGIPUDI et al / LIAO et al or further in view of (4) COGGER et al or MANGIPUDI et al / LIAO et al or further in view of (4) COGGER et al does not teach the parameters for calculating a priority value for the request as cited in step (c2) above. Note that the limitation of "a resolution urgency", which is the last parameter for calculating a priority value number (data) for the request, is considered as non-functional descriptive material and has no patentable weight. It's merely further limit a data that is used in the calculating/determining step. Furthermore, it's not clear what it really is and how it further limits? A resolution urgency of what? Also, this limitation is inherently included in the teachings of MANGIPUDI et al as cited in the classification above. Note also that the limitation of "a resolution urgency", which is the last parameter for calculating a priority value number (data) for the request, is considered as non-functional descriptive material and has no patentable weight. It's merely further limit a data that is used in the calculating/determining step. Furthermore, this limitation is inherently included in the teachings of LIAO et al as covered by the different classes as cited in the classification above.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

No claims are allowed.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through private PAIR only. For more information about the PAIR system, see http://pair-direct@uspto.gov. Should you have any questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

In receiving an Office Action, it becomes apparent that certain documents are missing, e. g. copies of references, Forms PTO 1449, PTO-892, etc., requests for copies should be directed to Tech Center 3600 Customer Service at (571) 272-3600, or e-mail CustomerService3600@uspto.gov .

Any inquiry concerning the merits of the examination of the application should be directed to Dean Tan Nguyen at telephone number (571) 272-6806. My work schedule is normally Monday through Friday from 6:30 am - 4:00 pm. I am scheduled to be off every other Friday.

Should I be unavailable during my normal working hours, my supervisor John Weiss can be reached at (571) 272-6812.

The main FAX phone numbers for formal communications concerning this application are **(571) 273-8300**. My personal Fax is (571) 273-6806. Informal communications may be made, following a telephone call to the examiner, by an informal FAX number to be given.

dtn
February 19, 2008

/Tan Dean D. Nguyen/
Primary Examiner, Art Unit 3629